

School Food Safety Inspections
Reauthorization 2004

Purpose:

This instruction sets forth the policy to inform sponsors of the new food safety inspection requirements resulting from the Child Nutrition and WIC Reauthorization Act of 2004.

Scope:

Sponsors participating in the School Breakfast Program (SBP) and/or National School Lunch Program (NSLP).

Description:

Section 111 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended section 9(h) of the Richard B. Russell National School Lunch Act regarding food safety inspections required in schools participating in the National School Lunch or School Breakfast Programs.

Previously, participating schools were required to obtain a minimum of one food safety inspection per school year or comply with the frequency required by local standards. Beginning July 1, 2005 each school must now obtain at least two food safety inspections each school year. The inspections must be conducted by a State or local governmental agency responsible for food safety inspections. More frequent inspections may still be required by State or local governments. In addition, schools must post, in a publicly visible location, a report on the most recent food safety inspection, and provide a copy of the food safety inspection report to a member of the public upon request.

The Reauthorization Act also requires State agencies to annually submit a report on food safety inspections to the Secretary. To meet this requirement, USDA is planning to require State agencies to annually collect and submit to FNS the number of schools within their State that meet the requirement for two food safety inspections; the number of schools that have only obtained one inspection; the number of schools that have not been able to obtain any inspections; and the number of schools that exceed the required number of inspections. The required reporting elements are expected to be finalized in advance of July 1, 2005, and USDA envisions the first report will be due at the end of calendar year 2006.

SOURCE: USDA FOOD AND NUTRITION POLICY MEMORANDUM #05-10, DATED DECEMBER 17, 2004.